

I think they have served not only the Senate but the country well by highlighting the problems in this area with Y2K, but doing it in a way that does not cause undue alarm or panic. But it has been very helpful to Senators to hear what they have had to say, both in the closed session and also here on the floor this afternoon. I believe they have contributed mightily to the prospect of us dealing much more with the problems adherent in this area and getting some results before we face the turn of the century. So I commend them for their fine work.

EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999—MOTION TO PROCEED

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate now turn to a motion to proceed to the education flexibility bill, S. 280, and there be 30 minutes under the control of Senator WELLSTONE tonight with 3 hours 30 minutes under his control tomorrow and 30 minutes under the control of Senator JEFFORDS, or his designee, and following the conclusion or yielding back of that time, the Senate proceed to a vote on the motion.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Reserving the right to object. I am just inquiring of the leader—since this is the legislation, I would like to, as the ranking member, make a brief opening statement, as we proceed to this motion, for 10 minutes. I ask for 10 minutes tonight.

Mr. LOTT. That probably would even be helpful if the Senator could do that tonight.

Mr. KENNEDY. Yes. And then if it is agreeable—

Mr. LOTT. Do I need to modify, then, my unanimous consent request to that effect? I don't believe I would. I will take care to make sure we get that 10 minutes designated in the balance of our request.

Mr. KENNEDY. At the start.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senate proceeded to consider the motion to proceed.

The PRESIDING OFFICER. The pending question is the motion to proceed to S. 280.

Who yields time?

Several Senators addressed the Chair.

Mr. LOTT. Mr. President, I need to just clarify a couple points before we begin this time. I further ask unanimous consent that before we proceed to the time designated for Senator WELLSTONE that Senator KENNEDY have 10 minutes to make an opening statement as the manager of the legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. LOTT. Therefore, in light of this consent, there will be no further votes this evening. The Senate will debate

the motion to proceed to the education flexibility bill this evening.

Mr. President, I appreciate the cooperation of my colleagues on both sides of the aisle in working out this agreement. I know the Senator from Minnesota wishes to have some extended time to talk on this matter, but we have worked it out in a way he will have his time to talk, we will get the vote, and we can go on to debate the substance of this very important, broadly bipartisan supported bill.

I thank Senator DASCHLE for his cooperation in helping make this arrangement.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 10 minutes and the Senator from Minnesota will be recognized for 30 minutes.

Mr. KENNEDY. Mr. President, first of all, I welcome the opportunity that the Senate of the United States now in this early part of March will be considering various education policy questions because I believe, like other Members of this body, that the issues of education are of central concern to families all over America. I firmly believe that what families all over America are looking for is some form of partnership between the local community, the State, and the Federal Government, working in harmony to try to enhance the academic achievement and accomplishment for the young people in this country.

I think all of us are very much aware that enhancing education achievement is a complex issue, and therefore we have a variety of different kinds of ideas about how best that can be achieved. I think all of us understand that the Federal role has been a limited role. It has been a limited role in identifying where, as a matter of national policy, we want to give focus and attention to children in this country. Historically, that has been the focus and attention in terms of the neediest, the disadvantaged children in this country.

There have been other areas. For example, those that have some special needs. We have also been helpful in providing help and assistance to schools in terms of nutrition programs, breakfast and lunch programs. There has been a program in terms of the bilingual, help and assistance in Goals 2000 under President Clinton to try and help and assist local communities to move ahead in terms of education reform, and a number of other very important areas.

Tomorrow we will begin the debate on education policy. The issue that is going to be before the Senate will be whether we are going to provide additional kinds of flexibility to the States and the school districts in their use of a number of the Federal programs that reach out into the communities.

In 1994, we had reauthorization of the title I program. I joined in the initiative with Senator Hatfield. It was his initiative in providing a test program

where we permitted a number of States to effectively waive the regulations on the title I programs with the assurance that the objective of the title I programs would be maintained and that the resources could be targeted to needy children. We have seen over a period of time a number of States take advantage of this flexibility.

There have been other school districts which have had the opportunity to make application—some of them have, but not many. What is before the Senate now is the consideration to effectively permit greater flexibility in the States and local communities for the using of title I funds. Ninety percent of the waivers that have been considered to date have been on the title I programs. There are other programs that can be waivers, but those have been the title I programs.

By and large, it is for reasons that have been best established within the local community. There have been waivers granted when they have not been able to reach a 50-percent standard of poor and needy children. It might be 48 or 45 or in some instances 40-percent poverty children. Without that waiver, there would not be the kinds of additional resources that would be available to that school to help and assist the needy children.

Now we are embarked on a more extensive kind of a consideration of a waiver program. What I think we understand is if we are going to get into providing additional waivers, we need to have important accountability about how these resources that are going to be expended are going to be used to help and assist the academic achievement of the targeted group, which are the neediest children. Tomorrow we will have an opportunity to go over that particular issue with Senator FRIST and others after we have an opportunity to move toward the bill.

Mr. President, I think, quite frankly, I would have agreed that there is a certain logic in considering the waiver provisions when we reauthorize the total bill. I don't have an objection to the consideration of this legislation. It may be a valuable tool in terms of a local community if we are going to be assured that these scarce resources that we have available that today are targeted on the neediest children, are going to go to the neediest children; that we are going to ensure that parents are going to be involved in any decisions; that it is going to affect those children, and that we are going to maintain our content and performance standards which are out there now so we can have some opportunity to be assured that those children are actually benefiting from any alteration or change from what has been the Federal policy; and that there will be ultimately the judgment of the Secretary of Education that if the measure is going to violate the fundamental principle of the intent of the legislation, then the power still retains within the Secretary of Education not to permit

such a waiver to move ahead. That is basically the initial issue that we will be debating.

We will also, I think, have an important opportunity to debate the President's proposal for smaller class size. That is something which is very, very important. We made a downpayment with Republicans and Democrats alike at the end of the last session to ensure additional schoolteachers in local school districts, and now the school districts themselves are going to wonder whether that was really a one-time only or whether it will be as the President intended to be—a commitment over a period of some 6 years. The afterschool programs which have been such a success, which the President and Secretary Riley have talked about—there will be initiatives, hopefully, in those areas. There are excellent programs by Senator BINGAMAN in terms of school dropouts that has been accepted in the past by this body; I hope we will be able to give attention to that area.

There will be a limited but important group of amendments which we think can be enormously helpful and valuable to our local communities in terms of being that kind of constructive partner in enhancing the education for the children of this country.

So that is where we are going, and I welcome the chance to have that debate over the period of these next several days. There are many things that are important in this session, but this will be one of the most important.

Finally, let me say I want to pay tribute to my friend and associate from Minnesota, Senator WELLSTONE, who has very strong views in terms of making sure these resources are going to actually be targeted to the neediest children in this country. He has been an effective and forceful fighter for those children. I know he will speak for himself, but he really questions whether any of these kinds of waivers can still give the kinds of assurances, as we have them in the current legislation, that will target those funds to the children. It is a powerful case that he makes—one that should be listened to by our colleagues—and it is a very persuasive case that he makes. We have come to a different conclusion, but I have enormous respect and friendship for him.

I must say that our colleagues should listen to him carefully on the points he is making, because I think he speaks for the neediest children in this country, as he has so often. It is a position that is a respectable position and I think a very defensible position, and I think it underlies the kind of central concerns many of us have if we fail to have the kind of accountability that hopefully will be included in the legislation. So I thank him for all of his work and for his consistency in protecting the title I children. I hope that all of our colleagues will pay close attention to what I know will be a very important statement.

I yield whatever time I have back, Mr. President.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota has 30 minutes.

Mr. WELLSTONE. Mr. President, first of all, let me thank Senator KENNEDY for his very gracious remarks. There is nobody in the Senate that I have more respect for, and I much appreciate what he had to say. I hope that we will, in fact, be in partnership on some critical amendments. In fact, I know we will be in partnership on some critical amendments that the Senate will be voting on.

Mr. President, I am debating this motion to proceed, and I am going to use a half hour tonight to kind of spell out or give an outline of where I am going to be heading, and then I will use 3½ hours tomorrow.

Mr. President, this is what I want to say on the floor of the Senate, and I hope that it is important. We have a piece of legislation that is on the floor of the Senate and I wonder why. This bill is called the Ed-Flex legislation, the Ed-Flex bill. But we never had a hearing in the U.S. Senate—not one hearing in one committee, the Labor and Human Resources Committee, on this bill. We never had an opportunity to listen to different people who are down in the trenches working with children. We never had an opportunity to carefully evaluate the pluses and minuses. Yet, my Republican colleagues bring this bill to the floor.

Secondly, it is absolutely true—and Senator KENNEDY did an excellent job of summarizing this—that there are a number of States that have moved forward. I voted for the legislation—and Senator KENNEDY was a coauthor of it—to give the States flexibility. I thought the agreement was that we would then be able to see what States have done and then reach a final judgment as to whether or not we wanted to pass such a sweeping piece of legislation. I will talk about why I think it is sweeping, not in the positive but in the negative. As the General Accounting Office pointed out, we don't have any evaluation of what these different States have done with this flexibility. Have they used this Ed-Flex bill to dramatically improve the opportunities for poor children in their States or not? We don't know. Yet, this bill is now on the floor of the U.S. Senate.

Mr. President, I am opposed to this piece of legislation. It passed 18-1 in committee, but I am opposed to this piece of legislation. I hope other colleagues will join me as this debate goes forward, for several reasons. First and foremost, I believe this legislation—just taking this bill for what it is—is a retreat from a commitment that we made as a nation in 1965 to poor children in America. We made this commitment and had title I as a provision in the Elementary and Secondary Education Act because we knew, unfortunately, that for all too many poor chil-

dren and their families—you know, they are not the ones with the clout—they were not receiving the educational assistance and support that they deserved; thus, the title I program. It is now about \$8 billion a year. I want to talk about the funding level of this program a little later on.

What this legislation does is it essentially turns the clock back 30 or 35 years. This legislation now says that we no longer, as a nation, as a Federal Government, will continue with this commitment. We will give money to States and they will decide what they want to do.

I am all for flexibility. I just wonder, where is the accountability? At the very minimum, in such a piece of legislation shouldn't there be clear language that points out that the basic core provisions of title I, which provide the protection for poor children in America, are fenced off and no State will be exempt from those provisions? That is to say that these children, low-income children, will have highly qualified teachers who will be working with them, that these low-income children will be held to high standards, that these low-income children will have an opportunity to meet those standards, and that the poorest communities with the highest percentage of low-income children will have first priority on the title I funding that is spent. All of that, with the legislation that is before us, can be waived. No longer will we have any of these standards.

So you have two issues. No. 1, you have the lack of accountability on the very core provisions of title I that are so important in making sure that this is a program that works for poor children. No. 2, you have a problem just in terms of dilution of funding.

One of the amendments I will have on the floor will say that this title I funding that goes to different States—that those schools with 75 percent low-income students, or more, will have first priority in that funding. The funding has to first go to those schools. Right now, with this legislation, we have moved away from that. In 1994, when we went through this, we had an amendment that said that schools with over 75 percent low-income students had first priority for this funding. Now we abandon that in this legislation. So, first of all, let me be crystal clear about why I object to this. I object to this piece of legislation because it represents an abandonment of a national commitment to poor children in America, and, frankly, I am disappointed in my colleagues. I am disappointed in my colleagues on both sides of the aisle, but I am especially disappointed in my Democratic colleagues. Where is our sense of justice? Whatever happened to our fight for poor children? How could we have let this legislation just move forward and come right to the floor in its present form? Where is our voice? I don't understand it.

I am sorry if I sound—well, I am worried about sounding self-righteous; I

don't want to, but I certainly feel strongly about this. I think the silence of the Democrats is deafening on this question.

Now, second of all, Mr. President, I am going to take time tonight—I won't take much time tonight, but I will have a lot of time tomorrow—to raise another question about this legislation. No wonder people in our country become cynical about politics because this Ed-Flex bill—see, I understand the politics of it. It is hard to vote against it. It is called Ed-Flex, which is a great title.

Then we say get the money to the States, get the Federal Government out, it is politically—yes, I see how it works. But do you want to know something? I don't want to let anybody—any Republican or any Democrat—pass this legislation off as some great step forward in expanding opportunities for children. It is not a great step forward for children. It is a great leap backwards. It is a great leap backwards because it is an abandonment of our commitment to poor children. It is an abandonment of our standard which should be met by title I programs for poor children. I will tell you something else; it is a great leap backwards, or a great leap sideways, because it doesn't represent what we should be doing for children in this country. Tomorrow I will have an opportunity to outline some of the directions that I am going to go in. But let me just raise a few questions.

When I am home, what most people in communities tell me that are down in the trenches working with children, and what most of the State legislators tell me who are education legislators, is, "PAUL, the Federal Government is a real player in a number of different areas." Title I is one, and another is early childhood development. Here is how you can help us out pre-K. We have a White House conference on the development of the brain. We have all this literature that has come out. I have read a lot of it about the development of the brain. The fact is irrefutable and irreducible—that if we don't get it right for children by age 3, many of them will never be prepared for school. They will come to kindergarten way behind and then they will fall further behind and further behind and then they will wind up in prison.

But we don't have a piece of legislation out here on early childhood development. And, frankly, the President's budget is pathetic, much less the Republicans' proposing even less. I mean, in the President's budget, I think maybe at best 20 percent of those low-income families that would be eligible for assistance are going to be able to receive any. And what about middle-income? I cannot believe that we are continuing to play symbolic politics with children's lives.

If we were serious about a piece of legislation on the floor of the U.S. Senate that would really do something positive for children, then we would be

about the business of making sure that working families can afford the very best child care for their children. And we don't do that. Instead, we get Ed-Flex, which won't do one additional positive thing that will help expand educational opportunities for children in this country, especially among poor children of this country.

Mr. President, let me talk about another area that I think is really important.

Children's Defense Fund study this past year: Every day in America three young people under age 25 die from HIV infection, 6 children commit suicide; 13 children are homicide victims; 14 children are killed by firearms; 81 babies die; 280 children arrested for violent crime; 434 babies are born to mothers who have late or have no prenatal care; 781 babies are born at low-birth weights; 1,403 babies are born to teen mothers; 1,087 babies are born without health insurance; 2,430 babies are born into poverty; 2,756 children drop out of high school every schoolday; 3,346 babies are born to unmarried mothers; 5,753 children are arrested; 8,470 children are reported abused or neglected; 11.3 million children are without health insurance; and, 14.5 million children live in poverty.

Do we have a piece of legislation out here on the floor that deals with the fact that one out of every four children under the age of 3 in America are growing up poor? Do we have a piece of legislation that deals with the reality that one out of every two children of color under the age of 3 in America are growing up poor?

I was talking to about 350 principals in Minneapolis-St. Paul about 2 weeks ago. And they said to me, "There is another issue, PAUL." It is not just that so many kids come to school way behind. Ed-Flex does nothing for those children. It is also that a lot of children come to school emotionally scarred. These children have seen violence in their homes. They have seen violence in their neighborhood. And they need a whole lot of additional support.

Is there a piece of legislation out on the floor that calls for the Federal Government to get resources to local communities, then let them be flexible, let them design the programs that can provide the support for these children? No. Not at all. Instead we get Ed-Flex.

Mr. President, we have a program in this country called Head Start. It does just what the title says it does. It is an attempt to give a head start to children who come from impoverished backgrounds. I am amazed at the men and women that are Head Start teachers. I am amazed at the men and women that are child care workers. Their work is so undervalued. They barely make above minimum wage. Do we have a piece of legislation out here on the floor that provides more funding for Head Start? No. Mr. President, instead, we have a budget from the President that essentially says that we will

get the funding to one-half of the eligible Head Start families and children at best. It is an embarrassment. It is an embarrassment. We have a program, a Head Start program, to provide a head start for children from impoverished backgrounds. We know it makes a real difference, and we don't even provide the funding for half of the children that could benefit. I don't think that is pre-teen. I think that is just 4 and 5-year-olds, much less early Head Start.

Does Ed-Flex do anything about providing the support for children for the Head Start program? No. Does it speak to early childhood development? No. Does it speak to afterschool care? No. My colleagues will have amendments on the floor. And good for them. We will be supporting them and speaking for them about smaller class sizes, about rebuilding crumbling schools, about involving parents, about giving children hope. All of that is important. Does this piece of legislation deal with any of that? No.

Mr. President, I am going to present some jarring statistics that translate into personal terms tomorrow about the whole lack of equity financing in education. I will draw from my friend, Jonathan Kovol, who wrote "Savage Inequality." It is incredible that some children in our country—probably not the children of Senators and Representatives—go to schools without adequate lab facilities, without enough textbooks, without proper heat, delapidated buildings. And they don't have the financing. They don't have the financing for computers. They don't have the financing so students can be technologically literate. They don't have the financing for the best teachers. There are huge disparities.

Does this piece of legislation called Ed-Flex do anything to deal with the fact that we have such dramatic inequalities in access to good education for children in America? Does this piece of legislation, Ed-Flex, say that since our economy is doing so well, surely today we can provide a good educational opportunity for every child? No. It doesn't do any of that. What it does is it turns the clock back.

I can't believe so many of my colleagues have caved into this. How could we have let a bill come to the floor pretending to be a great initiative to improve the education of our children when it doesn't, and, in addition, turns the clock back and takes the accountability and takes some of the core requirements of title I, and no longer makes that the law of the land, no longer says that we have a national commitment, and essentially says to the States do what you want without any accountability? What do you think is going to happen to these children? Some States may be better. I hope it will be in Minnesota. I will tell you what. I will make some of my colleagues angry in other States. It will be worse. It will be worse.

That is why we have title I. That is why we have the IDEA program. We

know that unless you have a real commitment to children—IDEA is not covered in this bill. But unless you have a real commitment to children with disabilities, or low-income children, they are not going to get the assistance or the support.

Let me now turn to the third argument I want to make tonight, and I will develop this in much more detail tomorrow.

Here is the other thing that is so disingenuous about this Ed-Flex legislation. We ought to have some direction—and I will try to have an amendment that talks about this—for funding. We are spending \$8 billion a year, and that is about a third, according to the Congressional Research Service, of what we need to be spending if we are, in fact, going to reach all the children who are eligible for this help and all the schools that are eligible. And you know what. When I met with the teachers, when I met with the principals, when I met with the educators in my State of Minnesota, they could not identify one provision in title I right now that needs to be changed in order for them to have the flexibility to do their best for children. And when we get into the debate, I am going to ask my colleagues to list what exactly the provisions are that create the problem, that create the impediment for the reform to do our best by these children. So far I haven't heard of any. I haven't heard of one statute. I haven't seen any of my colleagues identify one statute.

I will tell you what the men and women who are involved in education and who care about children tell me about title I. "Senator, we don't have enough funding." That is what this is all about. We don't provide enough funding, and then it becomes a vicious zero sum game. So, for example, if you are a school with over 50 percent low-income children, you get some help for those children, but if you are under 50 percent, even though you have a lot of children, you don't get any funding at all. That is because we have such a limited amount of funding, and when we divide it up in our school districts, we allocate it to the schools with the highest percentage of poor children, but then many other schools with many poor children don't get any funding at all.

Let me give some examples. St. Paul. There are about 60 K-12 public schools in the St. Paul School District in Minnesota. There are 20 schools in St. Paul with at least 50 percent free and reduced lunch that receive no title I funds at all. One-third of St. Paul schools have significant poverty and receive no title I funds to help eliminate the achievement or learning gap.

There it is right there. Where is the discussion of the funding? We are making Ed-Flex out to be some great thing for our school districts and our local communities and we are not providing the resources that are needed.

Example. Five senior high schools receive no title I funding. Humboldt Sen-

ior High has 68 percent of its students on free and reduced lunch, no title I. A school with a 68 percent low-income population doesn't receive any title I funding because after we allocate it, there is so little that it goes to schools with an even higher percentage of low-income students. There is nothing left.

Let's get honest and let's get real and let's talk about funding if we want to make a difference.

Several middle schools receive no title I funding. Battle Creek Middle School has 77 percent free and reduced lunch but receives no title I funds. Frost Lake Elementary School, 68 percent free and reduced but no title I. Eastern Heights Elementary School, 64 percent free and reduced but no title I. Mississippi Magnet Elementary School, 67 percent of the students are low income, no title I.

The St. Paul School District in Minnesota, if it had another \$8 million, could reduce class size, it could increase parental involvement, it could have good community outreach, and it could hire additional staff to work with the students who have the greatest need. But we don't have the funding. And we have a bill out here called Ed-Flex that pretends to be some great, some significant commitment to children and to education in our country. Can't we do better than that?

Let me talk about Minneapolis, and this is just a draft of what Minneapolis is expecting on present course. Here is what Minneapolis is going to get with Ed-Flex but no additional funding. This is basically what is going to happen. Of the 87 K-12 schools in Minneapolis, 31 schools will receive no title I funds, 14 schools which have at least a 50 percent low-income student population will receive no title I. That is unbelievable. Schools that have over 50 percent low-income student population do not receive any funding because there is not enough funding. I don't hear any discussion in this Ed-Flex bill about funding or pointing us in the direction of additional funding.

Let me give some examples. Burroughs Elementary School, 43 percent free and reduced, will receive no title I funding. Anthony Elementary School, 42 percent low-income, no title I funding. They would use the money for afterschool tutoring to improve math and science, to improve technology, to increase staffing and to improve parental involvement. Marcy Open Elementary School, 44 percent low-income, no title I funding. The school is in danger of losing 10 educational assistants because the funding level doesn't keep up with the kids and what needs to be done. Kenny Elementary School, 39 percent low-income, no title I funding. This school would use the additional resources, if they had them, for additional tutors in small group instruction, to buy certain computer-assisted instruction, make the "Read Naturally" Program available to more students, and focus on the students who are English language learners. No fund-

ing. Dowling Urban Environmental Learning Center, 45 percent free and reduced lunch, no title I, and they would use this to help prevent students from becoming special ed students, do early intervention to help students succeed.

Well, Mr. President, I don't know how much time I have remaining tonight. How much time do I have remaining?

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. WELLSTONE. Six minutes. Well, let me just kind of read from—I will give plenty of examples tomorrow of great success, but I have just a few comments from constituents of mine. Vicki Turner says:

The title I program of the Minneapolis public schools provided not only help for my two children, but the parental involvement program was crucial in helping me develop as an individual parent and now as a teacher for the program.

Gretchen Carlson Collins, title I director, Hopkins School District, said:

There is no better program in education than title I of the ESEA. We know it works.

John and Helen Matson say:

How can anyone question the need for a strong ESEA. Ed-Flex waivers are an invitation to undermine the quality of public school systems.

High school senior Tammie Jeanelle Joby was in title I in third grade.

Title I has helped make me the hard-working student that I am. My future plan after high school is to attend St. Scholastica. I may specialize in special education or kindergarten.

And the list goes on.

Mr. President, tomorrow I will develop each of these arguments. Tonight, let me just kind of signal to my colleagues that I am debating this motion to proceed, and I will have amendments and I will fight very hard on this piece of legislation because this is a rush to recklessness. Unfortunately, the recklessness has to do with the lives of children in America, specifically poor children in America. And I find it hard to believe that we have a piece of legislation which will have such a critical and crucial impact on the lack of quality of lives of children in our country that we brought this piece of legislation to the floor of the Senate without even a hearing, and we brought this piece of legislation to the floor of the Senate without even seeing how different Ed-Flex States, which are part of the demonstration projects, are doing right now.

Mr. President, I am not going to let my colleagues, Republicans or Democrats, pretend that this piece of legislation represents some major step forward for education for children in America. It does not. I think at least some of my colleagues—Senator KENNEDY spoke about this—are going to have some amendments that I think really will make a difference.

Second, I am going to make it as clear as I can tomorrow, and as crystal clear as I can with amendments and with debate—and I am ready for the debate—that in no way, shape or form is

it acceptable for the U.S. Senate to support a piece of legislation which essentially turns its back on or abandons our national commitment to poor children in America to make sure that the standards are met, that there are good teachers, that the money goes to the neediest schools and the neediest children, that there are high standards, that the schools are required to meet those standards, that we have some evidence of progress being made. The core requirements of title I must remain intact.

This piece of legislation on the floor right now does not require this to be the case. This piece of legislation essentially removes those core requirements and leaves up to the States what they want to do. This piece of legislation essentially wipes away the requirement that the money should go to the neediest schools first and allows States to do what they want to do. That is not acceptable. That is an abandonment of our commitment to low-income children in America. I look forward to this debate.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to proceed as in morning business.

The PRESIDING OFFICER (Mr. BROWNBACK). Without objection, it is so ordered.

Mr. DURBIN. Thank you, Mr. President.

SOCIAL SECURITY AND MEDICARE

Mr. DURBIN. Mr. President, the topic which I would like to speak about during this brief time on the floor is one which is important to millions of Americans and involves two of our most important and successful programs: Social Security and Medicare.

They are so important to so many families that President Clinton has proposed that 77 percent of the surplus which we anticipate over the next few years be invested in both of these programs so that they will be available for future generations of Americans.

There are some who believe that the surplus, as it is generated, should be spent instead and invested in tax cuts for Americans. Of course, any politician, any person in public life, proposing a tax cut is going to get a round of applause. People would like to pay less in taxes, whether they are payroll taxes, income taxes, or whatever. But we have to realize that a tax cut is instant gratification and what the President has proposed instead is that we invest the surplus in programs with long-

term benefits to not only current Americans but those of us who hope in the years ahead to take advantage of them as well.

We have to keep the security in Social Security and the promise of good medical care in our Medicare Program. And I think we have to understand that just solving the problems of Social Security is not enough; income security goes hand in hand with health care security.

One of the proposals coming from some Republican leaders suggests that there would be a tax cut. And as you can see from this chart, the Republican investment in Medicare under this plan is zero, and the Republican investment in tax cuts, \$1.7 trillion.

Now, of course, that is quite a stark contrast. Instead of prudent investments, I am afraid that many of those who suggest tax cuts of this magnitude are not really giving us the bread and butter that we really need for these important programs like Social Security and Medicare. Instead, they are handing out these candy bar tax cuts. I do not think that that is what America needs nor what we deserve. Let me take a look at the tax cut as it would affect individual American families.

There is a question that many of us have when we get into the topic of tax cuts, and that is the question of fairness, progressivity: Is this tax cut really good for the average working family? One of the proposals which has been suggested by a Republican leader and Republican candidate for President, who serves in the House of Representatives, is an across-the-board tax cut. Well, take a look at what this means for the families of average Americans.

For the lower 60 percent of wage earners in America, people making \$38,000 or less, this Republican tax cut is worth \$99 a year, about \$8.25 a month—not even enough to pay the cable TV bill. But if you happen to be in the top 1 percent of the earners, with an average income of \$833,000, your break is \$20,697.

I listened over the weekend while one of our noted commentators, George Will, who was born and educated in my home State of Illinois, suggested: Well, of course, because people who make this much money pay so much more in taxes, they should get a larger tax cut.

We have been debating this for a while, but we really decided it decades ago. In a progressive tax system, if you are wealthy, if you have higher income, then in fact you will pay more in taxes. So I do not think it is a revelation to suggest that people making almost a million dollars a year in income are going to end up paying more in taxes. Well, the Republican tax cut plan, as it has been proposed, an across-the-board tax cut, does very little for the average person, but of course is extremely generous to those in the highest income categories.

Today in America, 38 million citizens rely on Medicare, including 1.6 million

in my home State of Illinois. By the time my generation retires, this number will have increased substantially. With these increasing numbers of Americans relying on Medicare, and advances in health care technology currently increasing costs, any way you look at it, you need more money for the Medicare Program, unless you intend to do one of several things:

You can slash the benefits; you can change the program in terms of the way it helps senior citizens; you can ask seniors and disabled Americans who use Medicare, who are often on fixed incomes, to shoulder substantially higher costs; you can significantly reduce the payments to providers, the doctors and the hospitals; or you can increase payroll taxes by up to 18 percent for both workers and their employers.

A report that was released today by the Senate Budget Democrats lays out some of these harsh alternatives that would be necessary if the Republicans refuse to make investments in the Medicare Program.

President Clinton says, take 15 percent of the surplus, put it in Medicare; it will not solve all the problems of Medicare, but it will buy us 10 years to implement reforms in a gradual way. The Republicans, instead, suggest no money out of the surplus for Medicare, and instead put it into tax cuts. I think that is a rather stark choice.

Mrs. BOXER. Will my friend yield?

Mr. DURBIN. I am happy to yield to the Senator from California.

Mrs. BOXER. I am so pleased that the Senator from Illinois has once more come to the floor to discuss something so fundamental to our country. I think if you asked people in the country, "What is good about your national Government?" yes, they would say a strong military; they would also say Social Security and Medicare.

Has the Senator talked about the 1995 Government shutdown yet?

Mr. DURBIN. Go ahead.

Mrs. BOXER. I want to ask him a few questions and then let him finish his remarks.

As the Senator was talking and showing this chart, it brought back to me the 1995 Government shutdown. We remember what that was about. Essentially, the President took a very firm stand in favor of Medicare, the environment, and education, and against the kind of tax cuts for the wealthy that would have meant devastating those programs. And the Government actually shut down over this. I am sure my friend remembers, it was a stunning thing. But it was really tax cuts for the wealthy, taking it straight from Medicare.

Now what we have is a situation that is very similar. We know we have to fix Social Security. The Republicans have said they agree with that, but they are silent on the issue of Medicare. They do nothing about shoring it up whatsoever. And yet they propose the same kind of tax cuts.